

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ADAM HEASTER individually and for
others similarly situated,

Plaintiff,

v.

CHEVRON U.S.A., INC.

Defendant.

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2:19cv1464
Electronic Filing

ORDER OF COURT

AND NOW, this 27th day of February, 2020, defendant having made known its intent to pursue/preserve a lack of jurisdiction defense in accordance with Bristol-Myer Squibb as to potential FLSA class members outside of Pennsylvania, and, in accordance with the discussions with counsel at the case management conference held on February 24, 2020, IT IS ORDERED that the pretrial undertakings of defendant, including the parties' preparations for and submission to this court's ADR program and discovery undertaken in conjunction therewith, as well as defendant's submission to or participation in all other discovery and pretrial development up until a ruling is made on any motion for decertification/and or the time to bring the same has expired, shall not constitute or be construed as 1) a submission by defendant to the jurisdiction of this court as to any such potential opt-in plaintiff(s) and/or 2) a waiver of defendant's position that this court lacks personal jurisdiction over it and/or that venue is improper in this jurisdiction with regard to any such opt-in plaintiff(s).

s/David Stewart Cercone
David Stewart Cercone
Senior United States District Judge

cc: Andrew W. Dunlap, Esquire
Joshua P. Geist, Esquire
Michael A. Josephson, Esquire
Taylor A. Jones, Esquire
Rodger L. Puz, Esquire
Michael Carter Crow, Esquire
Kimberly Cheeseman, Esquire

(Via CM/ECF Electronic Mail)